

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: March 31, 1995

SUBJECT: **SB 1037 - HB 887**

This bill, if enacted, will grant immunity to law enforcement personnel and their employer for injuries sustained by third parties that is proximately caused by a person who is unlawfully fleeing pursued by a law enforcement officer. The decision to initiate or to continue a pursuit shall not be a basis for liability to any person for an accident caused by a fleeing suspect. Officers and their employer remain liable for damages to a third party caused by negligent operation of the police vehicle.

The fiscal impact from enactment of this bill is estimated to result in an avoidance of cost to state government due to reduced cost of judgments and defense costs in such cases. The amount of such cost avoidance cannot be reasonably determined, since the number of cases and amount of potential judgments is not known but is estimated to exceed \$100,000.

The enactment of this bill is also estimated to result in an avoidance of cost to local governments due to reduced costs of judgments and defense costs in such cases. The amount of cost avoidance cannot

reasonably be determined, since the number of cases and amount of potential judgments is not known but is estimated to exceed \$100,000.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is written in a cursive style with a large, stylized initial 'J'.

James A. Davenport, Executive Director